



# CITY OF MEMPHIS

## COUNCIL REGULAR MEETING AGENDA

Tuesday, July 7, 2020, 3:30 p.m.

Conducted by Electronic/Telephonic Means

Official Recording of Meeting will be available on  
City Council's Website

[https://www.memphistn.gov/government/city\\_council](https://www.memphistn.gov/government/city_council)

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### CALL TO ORDER by the Sergeant-at-Arms

### INVOCATION

*Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.*

### PLEDGE OF ALLEGIANCE

### CALL OF ROLL by the Comptroller

### APPROVAL OF PREVIOUS MEETING MINUTES (June 16, 2020)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION approving an Honorary Street name change of Norman Avenue between Boxwood Street and North Hollywood Street to Elder R.E. Berry Avenue. This resolution is sponsored by Councilwoman Easter-Thomas.

ACTION REQUESTED: Adopt the resolution

#### COMMUNITY ORGANIZATION SPOTLIGHT (None)

#### PUBLIC HEARINGS (None)

**DIVISION OF PLANNING AND DEVELOPMENT**

2. RESOLUTION requiring community meetings prior to hearings before the Land Use Control Board. This resolution is sponsored by Councilwoman Johnson and Councilman Warren. **(Request for same night minutes)**

Colvett  
Chairman,  
Planning &  
Zoning  
Committee

ACTION REQUESTED: Adopt the resolution

**ZONING ORDINANCE- THIRD AND FINAL READING** (None)



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## CONSENT AGENDA

3. RESOLUTION approving an Honorary Street name change of South Fourth Street from 400 ft north on Fourth Street to the corner of E.H. Crump Blvd. and Fourth Street for Willeen W. Hastings. This resolution is sponsored by Councilman Warren.

ACTION REQUESTED: Adopt the resolution

### GENERAL ORDINANCES - FIRST READING

4. **ORDINANCE** amending Chapter 2, Article I, Section 2-10-10, Subsection B, to require the Board of Ethics to establish an online portal to require Lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis, up for F I R S T reading. Ordinance No. 5752 is sponsored by Councilman Morgan and Councilman Carlisle. (Held from 6/16)

ACTION REQUESTED: Take whatever action Council deems advisable

5. **ORDINANCE** rescinding Referendum Ordinance No. 5744 Amending Article 27, Section 190 of the Charter of the City of Memphis, Same Being Chapter 11 of the Acts of 1879, as amended, and relative to amendments thereto Pursuant to the Provisions of Article 11, Section 9 of the Constitution of the State of Tennessee (Home Rule Amendment) to allow specified personnel employed with the Divisions of Police and Fire Services to reside within 50 miles from the City of Memphis, up for F I R S T reading. Ordinance No. 5756 is sponsored by Councilwoman Easter-Thomas.

ACTION REQUESTED: Take whatever action Council deems advisable

### GENERAL ORDINANCE - SECOND READING (None)

**ZONING ORDINANCES – FIRST READING**

6. **ORDINANCE** rezoning 4195 E. Shelby Drive, containing +/-30.016 acres in the Conservation Agriculture (CA) District, up for F I R S T reading. This ordinance is sponsored by the Office of Planning and Development.

Colvett  
Chairman,  
Planning &  
Zoning  
Committee

Case No. Z 20-01  
Ordinance No. 5753

Applicant: CLP, LLC  
Cindy Reaves, SR Consulting – Representative

Request: Employment (EMP)

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

7. **ORDINANCE** rezoning the Northwest corner of East Holmes Road and Malone Road; containing 40.80 acres in the Conservation Agriculture (CA) and Conservation Agriculture Flood Plain (CA{FP}) Districts, up for F I R S T reading. This ordinance is sponsored by the Office of Planning and Development.

Colvett  
Chairman,  
Planning &  
Zoning  
Committee

Case No. Z 20-02  
Ordinance No. 5754

Applicant: Alice Langford, et al/PDC, TN/FL, LLC  
The Reaves Firm, Inc. – Representative

Request: Employment (EMP) & Employment Flood Plain (EMP{FP})  
Districts

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

8. **ORDINANCE** rezoning north of Ketchum Road, east of Imogene Street, south of Dwight Road, and west of Pendleton Street; containing +/-66 acres in the Residential Single-Family -6 (R-6) and Residential Urban -1 (RU-1) Districts, up for F I R S T reading. This ordinance is sponsored by the Office of Planning and Development.

Colvett  
Chairman,  
Planning &  
Zoning  
Committee

Case No. Z 20-03  
Ordinance No. 5755

Applicant: Memphis Shelby County Airport Authority/Ketchum Airport  
Investors, LLC – Bradleigh Kaaber  
Brittenuum Law, PLLC – Dedrick Brittenuum Jr. – Representative

Request: Employment (EMP)

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

**ZONING ORDINANCE - SECOND READING** (None)

**NOTATIONS FROM OPD**

**NOTATIONS** from the Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

9. A. Case No. SUP 19-41 – 135-FOOT CELL TOWER

Located at 1883 Lamar Avenue, containing +/-0.63 acres in the Commercial Mixed Use- 3 (CMU-3) & Glenview Historic Districts.

Applicant: CGIENT LLC Series/Verizon Wireless  
Sam Tiwana, Kaizen Realty (CGIENT LLC Rep.) and  
Jerry Gingerich, Terra Consulting Group, Ltd. (Verizon  
Wireless Rep) – Representatives

Request: To allow a 135-foot CMCS (Cell) Tower

LUCB recommendation: REJECTION

OPD recommendation: APPROVAL, with conditions

B. Case No. PD 99-362 – QUINCE/LYNNFIELD PLANNED DEVELOPMENT

Located at the Southwest corner of Quince Road and Lynnfield Road, containing 4.20 acres currently governed by Quince/Lynnfield Planned Development (PD 99-362).

Appellant: Balmoral Neighborhood Association  
Appellee: SE Industrial Investments, LLC

Request: Appeal the decision of the Land Use Control Board for a Major Modification approved on February 13<sup>th</sup>, 2020 to allow a three (3) story office building with associated accessory uses

LUCB and OPD recommendation: APPROVAL, with conditions

**ACTION REQUESTED: Set a date of public hearing**

**SUGGESTED DATE: July 21, 2020**

**ENGINEERING DIVISION**

10. RESOLUTION approving the engineering plans for LAKEHURST DRAINAGE IMPROVEMENTS.

Contract No. CR-5330

Resolution approves the engineering plans located on Austin Peay Highway and Lakehurst Avenue intersection in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Performance Bond No. SU1159228 in the amount of \$193,500.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION approving the engineering plans for RENASANT BANK – 5575 POPLAR AVENUE.

Contract No. CR-5331

Resolution approves the engineering plans located on the Southeast corner of the Poplar Avenue and Yates Road intersection at 5575 Poplar Avenue in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept the Travelers Performance Bond No. 107187765 in the amount of \$144,900.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

12. RESOLUTION approving the engineering plans for AVIATION FACILITIES PD RE-RECORDING OF PHASE 2, 4 & 5 (UPS OAKHAVEN HUB).

Contract No. CR-5332

Resolution approves the engineering plans located on the northeast corner lot of Swinnea Road and Winchester Road intersection in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept the Travelers Performance Bond No. 107233600 in the amount of \$304,100.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

13. RESOLUTION approving the SUPPLEMENT AGREEMENT #1 to COMMUNITY REDEVELOPMENT AGENCY DRAINAGE IMPROVEMENTS.

Contract No. CR-5327 AM

Resolution approves supplemental agreement #1 located on Keel Avenue (N. Front Street intersection to Main Street intersection) and N. Front Street (Keel Avenue intersection to Saffarans Avenue intersection) in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached Supplemental Agreement #1 and accept the Tri-State Letter of Credit No. 300 in the amount of \$62,200.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution



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## FISCAL CONSENT AGENDA

14. RESOLUTION accepting and appropriating grant funds in the amount of \$13,868.00 from Hewlett Packard Enterprise for Aruba Healthcare Connectivity Bundles during COVID-19 pandemic. (All Council Districts). This resolution is sponsored by Fire Services. **(Request for Same Night Minutes)**
15. RESOLUTION amending the FY2020 Operating Budget by accepting and appropriating \$409,467.50 from Shelby County Government for the Federal FY19 Justice Assistance Grant program on behalf of the Memphis Police Department. (All Council Districts). This resolution is sponsored by Police Services. **(Request for Same Night Minutes)**
16. RESOLUTION amending the FY21 Operating Budget by accepting and appropriating grant funds in the amount of \$78,417.00 from the State of Tennessee Department of Finance and Administration, Office of Justice Programs. This donation will be used to purchase after-school programming supplies, professional services and travel. (All Council Districts). This resolution is sponsored by Memphis Public Library and Information Center. **(Request for Same Night Minutes)**
17. RESOLUTION amending the FY21 Operating Budget by accepting and appropriating grant funds in the amount of \$51,900.00 from the Tennessee State Library and Archives for supplies, books, and material for the Memphis Public Library and Information Center. (All Council Districts). This resolution is sponsored by Memphis Public Library and Information Center. **(Request for Same Night Minutes)**



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## MLGW FISCAL CONSENT

18. RESOLUTION approving an agreement between MLGW and Shelby County Government Public Works Division to bill and collect the solid waste fees in the Northaven special service district.
19. RESOLUTION awarding a purchase order to Thomas Gallaway Corporation, d/b/a Technologent for Splunk software annual maintenance and support, in the amount of \$77,586.21
20. RESOLUTION approving Change No. 4 to Contract No. 11851, Aerator Maintenance with R. P. Services, Inc., in the funded amount of \$300,000.00. (This change is to renew the current contract for the fourth and final annual renewal term covering the period August 25, 2020 through August 24, 2021 in the amount of \$286,844.52. In addition, MLGW is requesting approval of contingency funds in the amount of \$13,155.48 in the event of unforeseen conditions, for a total funded amount of \$300,000.00. This renewal reflects a 2% increase in rates, in accordance with the contract documents, from the previous year due to increase in cost of equipment and materials.)
21. RESOLUTION awarding a thirty-six month purchase order to Brighter Days and Nites, Inc. for 600V ruggedized secondary underground cable, in the amount of \$1,522,702.00.
22. RESOLUTION awarding a purchase order to AutoNation Ford Memphis for pickup trucks, in the amount of \$820,016.92.



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## REGULAR AGENDA

**GENERAL ORDINANCE – THIRD AND FINAL READING** (None)

**CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS** (None)

**ENGINEERING DIVISION** (None)

**EXECUTIVE DIVISION** (None)

**FINANCE & ADMINISTRATION**

23. RESOLUTION authorizing the issuance, sale and delivery of not to exceed thirty-one million dollars (\$31,000,000) aggregate principal amount of the City of Memphis, Tennessee, General Improvement Bonds, Series 2020A, for the purpose of financing the cost of public works projects. This resolution is sponsored by Finance Division. (Held from 6/16)
- Robinson  
Chairman,  
Executive  
Session

ACTION REQUESTED: No Recommendation

24. INITIAL RESOLUTION authorizing the issuance of not to exceed thirty-one million dollars (\$31,000,000) of General Obligation Bonds of the City of Memphis, Tennessee, for the purpose of financing the cost of public works projects in the City. This resolution is sponsored by Finance Division. (Held from 6/16)
- Robinson  
Chairman,  
Executive  
Session

ACTION REQUESTED: No Recommendation

**DIVISION OF FIRE SERVICES** (None)

**DIVISION OF GENERAL SERVICES**

25. RESOLUTION requesting the approval of the sale of City owned surplus parcel, in the amount of \$5,000.00, acquired by the City of Memphis, located at 0 Willowview Avenue, Memphis, Shelby County, Tennessee 38111 and further described as Parcel #058102 00019. (City Council District 4 and Super District 9). This resolution is sponsored by General Services.
- Smiley  
Chairman,  
Public Works,  
Solid Waste,  
Transportation  
& General

ACTION REQUESTED: Adopt the resolution

Services  
Committee

26. RESOLUTION requesting the approval of the sale of City owned surplus parcel, in the amount of \$500.00, acquired by the City of Memphis, located at 0 E. Utah Avenue, Memphis, Shelby County, Tennessee 38106 and further described as Parcel #024057 000028. (City Council District 6 and Super District 8). This resolution is sponsored by General Services.

Smiley  
Chairman,  
Public Works,  
Solid Waste,  
Transportation  
& General  
Services  
Committee

ACTION REQUESTED: Adopt the resolution

27. RESOLUTION requesting the approval of the sale of City owned vacant parcel in the amount of \$1,650.00 located at 1534 Robin Hood Lane, Parcel #0508086 0047 Memphis, Shelby County, Tennessee 38111. This resolution is sponsored by General Services.

Smiley  
Chairman,  
Public Works,  
Solid Waste,  
Transportation  
& General  
Services  
Committee

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT**

28. RESOLUTION requesting the approval for the sale of City owned property in the amount of \$811,000.00 located at 2998 Tillman Cove in Memphis, Shelby County, Tennessee and further described as Parcel ID #044009 00017. This property is in District 5, Super District 9. This resolution is sponsored by Housing and Community Development. (Held from 5/5; 5/19; 6/2; 6/16) **(Request for same night minutes)**

Johnson  
Chairman,  
Housing &  
Community  
Development  
Committee

ACTION REQUESTED: Adopt the resolution

29. RESOLUTION allocating and appropriating \$4,150,000.00 in available Tourism Development Zone surplus revenues for infrastructure improvement projects in the Pinch District. This resolution is sponsored by Housing and Community Development. (Held from 6/16)

Robinson  
Chairman,  
Executive  
Session

ACTION REQUESTED: No Recommendation

30. RESOLUTION allocating and appropriating \$5,000,000.00 for Pinch District Infrastructure Improvements. This resolution is sponsored by Housing and Community Development. (Held from 6/16)

Robinson,  
Chairman,  
Executive  
Session

ACTION REQUESTED: No Recommendation

31. RESOLUTION allocating and appropriating \$25,000,000.00 for the remodel of the Renasant Convention Center and \$5,000,000.00 for adjacent streetscape improvements, Project GS17102. This resolution is sponsored by Housing and Community Development. (Held from 6/16)

Robinson  
Chairman,  
Executive

Session

ACTION REQUESTED: No Recommendation

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION SERVICES** (None)

**LAW DIVISION** (None)

**MLGW DIVISION** (None)

**DIVISION OF PARKS AND NEIGHBORHOODS** (None)

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS** (None)

**GENERAL ITEM**

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**